

The Bureau of Land Management (BLM) Contingency Plan for Possible Shutdown of Government Functions

The BLM is the Nation's largest land management agency and has responsibility for managing 245 million surface acres, primarily in 11 Western States, including Alaska, and 700 million acres of Federal onshore mineral estate, as well as the responsibility for mineral operations and cadastral surveys on 56 million acres of Indian trust lands. The BLM is entrusted with managing 13% of the United States land mass and more than 40% of all federally-managed lands. These lands encompass a broad range of habitats, including desert, grassland, sage-steppe, forest, high-mountain, and arctic tundra. BLM managements benefits conservation and traditional land users, while contributing to the vitality of State and local economies and delivering benefits to all Americans through outdoor recreation, livestock grazing, mineral development, and energy production.

General: In the event that Congress is unable to enact appropriations for FY 2014 or a continuing resolution, essentially all activities of the BLM will be halted with the exception of law enforcement and emergency response functions. Without appropriated funds, there is no authority to incur obligations, including obligations for salaries, except in situations involving orderly shutdown of the bureau or to protect life and property. In the event that a shutdown occurs, the Department will notify bureaus to begin an orderly shutdown of unfunded functions. This will require the furlough of a majority of BLM employees. Voluntary services from employees will not be accepted.

Consistent with guidance in OMB Circular A-11, the number of employees who will be retained as "excepted" (i.e., not furloughed) is 600. These FTE fall under the following categories:

- Those employees who are engaged in law enforcement: BLM will maintain 300 Law Enforcement officers and associated support (for example, dispatch);
- Those employees who are needed to protect life and property and are not otherwise exempt. The BLM will maintain:
 - 10 in the Washington Office for leadership in overseeing excepted activities, budget, and communications,
 - 20 at the National Operations Center for bureau-wide Finance/acquisition and IT systems support for excepted activities,
 - 170 to respond to emergencies involving safety of human life and protection of property across the States.
 - 100 for maintaining helium operations, management of the Alaska pipeline, Rights of Way contracts, and the management of wild horse and burro holding facilities.

All employees will spend up to four hours completing shutdown activities to include securing facilities, completing personnel and financial processes, notifying external partners and customers of the shutdown, cancelling meetings/events, and shutting down computer systems. Employees will be in a furlough status immediately upon completion of shutdown tasks.

After the initial shutdown procedures are completed, the BLM would maintain 550 employees on-call. There would be 25 employees on call in the Washington Office for leadership in human resources, safety, emergency operations, budget/finance and acquisition. The States and Centers

would maintain 350 employees on call for Safety, Fire, HAZMAT /emergency services, support services and other critical functions. Additionally, there would be 175 employees (about 15 per state/center/WO) in acquisition, safety, human resource and budget/finance staff necessary to accomplish work associated with programmatic excepted and/or on call activities.

The BLM has approximately 10,800 employees and would furlough 10,200 employees during the funding lapse.

The Assistant Director for Business and Fiscal Resources and Assistant Director for Human Capital Management will be responsible for implementation of this plan.

Non-Appropriated Funding: Although the BLM has “no-year” funding, carryover balances are insufficient to continue normal operations. The BLM also maintains several reimbursable funds. However work on such projects or funded with these accounts will not continue during a shutdown because the regular discretionary appropriations required to support this work are not available.

New funding obligations cannot be made after the shutdown, except those needed to protect safety, health and property, such as HAZMAT emergency responses, fire protection, etc. Emergency rehabilitation will be handled in the same manner as other potential emergency situations such as hazardous materials incidents, i.e. a limited number of employees will be on call to deal with emergencies.

Employee Travel: Any employee on travel status will return to his/her duty station immediately unless the employee is designated as “excepted” and fulfilling an excepted function. In the case of employees who are in the middle of a change-of-duty-station (such as in temporary quarters), they will continue to be in travel status (since the obligation has already been incurred and there is not a practicable alternative).

Visitor Management: The BLM will close and secure visitor centers and facilities on public lands. Visitor activities that require a permit may be canceled or postponed. Contracted operations such as trash collection and toilet cleaning will be suspended. If practical, areas will be posted with signs that state that no patrols, maintenance or other management activities will be provided including emergency or rescue services provided by BLM.

Special Recreation Permit Authorizations and Concession Leases

Commercial, competitive, and group authorization for events and activities -- Concessions and some commercial outfitter and guide special recreation permits can continue operations as long as they do not need BLM field monitoring and regulatory oversight in the short term, and are not operating in sites that have been closed. No new activities or launches will occur unless they meet the exceptions discussed above. New permit applications, modifications and renewals will not be received or processed. However, cost recovery events scheduled within 48 hours of the onset of the shutdown, which would pay BLM staff salary, will be allowed to proceed. Other events scheduled to occur during the government shutdown will be canceled, postponed, or suspended. Vendors’ operations will be suspended.

Individual permits in special areas - No new entries or activities will be allowed at the time of the shutdown. Use of permitted areas should be ended as soon as practical, and no longer than within 48 hours of shutdown, such as at Long Term Visitor Areas or Aravaipa Canyon.

Volunteers

Volunteer activities would be discontinued during the shutdown.

Campgrounds and Other Recreation Sites

Campgrounds, boat ramps, and other recreation sites will be closed or posted as closed in areas where public access cannot practically be restricted. All facilities will be operationally shut down and posted accordingly, with gates locked, restrooms locked, and water systems shut down. Consistent with other Federal recreation providers, occupied sites would be given 48 hours to vacate, with the area shut down as the last visitor leaves. Shutdown activities for the sites would be completed within the 48 hour period. Campground hosts and other volunteers would be given the same 48 hour period to vacate, and should not expect to receive any reimbursement for this period.

National Recreation Reservation System (NRRS)

NRRS will be shut down. This is consistent with sister agencies that use the system. Refunds for previous reservations will be available through normal NRRS processes.

BLM Agency Technical Representative will initiate a closure of all BLM Rec.gov facilities.

- a) All BLM facilities will have a message posted at a bulletin stating the site is closed until further notice.
- b) Recreation.gov will not allow anyone to make reservations for any BLM facility.
- c) The Recreation.gov contractor will be open for business throughout any closure for customer service only and will NOT be taking advanced reservations.
- d) Area POCs will be responsible for lifting closures once the shutdown has ended - (since each area may have slightly different reopening plans and time frames, they must notify Active Network (NRRS contractor) when to resume normal operations specific to their facility).

Cancellations/Refunds:

Once notified of the government shutdown, cancellations will be processed according to the following:

1. Any customer that wants to cancel all or part of an upcoming reservation (that falls within any part of the shutdown period) may do so with a full refund by calling the customer service line (888) 448-1474.
2. Any reservation which starts and finishes within a period of time that the government is shutdown will automatically be refunded in full.
3. Anyone who is in a campground on the day of the closure and is asked to depart will be given a refund of the unused days. (Areas may also authorize a full refund for the entire stay).

Wednesday, September 25, 2013

4. Extended reservations will not be cancelled or refunded until the end date of their stay has come and gone. If sites reopen and there is still time on a visitor's reservation and the visitor still wants to come for a partial period, the remainder of their reservation will be intact. Refunds will be provided for any unused nights.

Attachments

Attachment 1: Excepted Activities

- Law enforcement: Law enforcement activities will continue under the following guidance.
 - the Bureau's lead law enforcement official will continue on duty;
 - each Special Agent-in-Charge will continue on duty;
 - rangers and special agents in the field will continue on duty; and
 - dispatch and other law enforcement personnel will be on call in the event of an emergency situation requiring immediate attention
- Wildland Fire program: Minimal fire management staff will be identified as "excepted" for purposes of protecting life and property, and to provide emergency services. Fire staff must suppress wildfires because those fires can harm life and/or property including to private landowners. The need for fire management staff varies across the nation according to weather and season. Positions will be "excepted" for basic protection of life and property; however, these positions are not sufficient for many regular fire management activities such as prescribed burning. Therefore, fire management activities will be limited to initial and extended attack and wildfire suppression.

Districts within their fire season will retain "excepted" fire staff sufficient for basic Initial Attack capability on site (per staffing plans and preparedness levels). "Excepted" staff must be approved by the State Fire Management Officer (SFMO) or their respective designee, and each District must establish procedures for calling in additional capability as needed for larger scale fire suppression activities. This procedure will be reflected by your designation of your "on call" employee lists. The "on call" employee lists will also be approved by the SFMO or designee. Districts will not implement any prescribed fires until after shutdown ends.

- States, Districts, and National Office will retain "excepted" staff to support established interagency Dispatch and/or Coordination Centers if these areas are expecting or experiencing wildfires.
 - States will retain the SFMO or their acting, and minimum "excepted" staff to coordinate suppression activities, and they will establish procedures for calling in additional capability as needed for fire suppression and support of suppression operations. This "excepted" personnel list as well as the additional capability "on call" list will be approved by the State Director.
 - The Bureau will retain the Assistant Director (AD) or their respective designee, and minimal "excepted" support staff to coordinate suppression activity; the AD will also have the authorization and discretion to designate individuals within the Bureau that may have a temporary "excepted" status due to a compelling priority for the Bureau, and lastly, the AD will establish procedures for calling in additional capability as needed. This "excepted" personnel list as well as the additional capability "on call" list will be approved by the Assistant Director.
- Oil and gas program: Employees responsible for inspection and enforcement will be needed to perform and oversee actions such as well shut-ins, re-completions, and downhole/equipment changes in drilling/plugging operations. A limited number of

employees will also be needed to patrol oil and gas field to make sure that theft of oil or condensate is not occurring. While the BLM receives permanent funding from other sources for some of this work (*Permit processing fund authorized under Section 365 of the Energy Policy Act of 2005*), only the I&E work associated with protection of human life and property is continued during a shutdown. Because of the management and support needed from regular appropriated accounts, the BLM has determined it cannot maintain employees funded through permanent accounts who are assigned to non-excepted work.

- Alaska pipeline operations: For health/safety reasons and because funding is exclusively from non-Federal sources and the work is being done at a site not affected by the shutdown, Alaska pipeline work will continue during a shutdown (*This is funded through the Service Charge, Deposits and Forfeitures account in the Trans Alaska Pipeline functional area*).

Helium Operations: The crude helium enrichment plant will continue operation to provide critical resource needs (assuming enactment of the House and Senate passed helium authorization bill). This function is funded through the Helium Funds and authorized by the Helium Act of 1960 and Helium Privatization Act of 1996.

- Right-of-way contracts and construction: Operation of pipelines and other activities such as renewable energy on existing rights-of-way, permits, leases, etc. by the respective operator can continue during a shutdown, unless compliance issues exist that may result in damage to governmental property or a threat to safety. If BLM action is required during a shutdown, the employee should be excepted or on-call to provide necessary BLM input/presence and to ensure compliance. If on-going construction of rights-of-way, permits, leases, etc., require BLM presence during construction as part of the terms of authorization, each office will:
 - review the terms of the authorization,
 - evaluate the potential impacts if BLM is not present and work continues, and
 - determine if a Bureau employee should be identified as either excepted or on-call to provide necessary BLM input/presence.

Wild Horse and Burro Holding Facilities: The minimum number of employees needed to humanely care for horses are deemed excepted. Employees are needed to oversee contractor work and to address animal health issues/communicate with veterinarians. Normal feeding and monitoring of the health of the animals should continue. Non-excepted tasks should not be undertaken. Only the employees needed for the care and feeding of the horses should report for work.

- Contracting: While non-emergency contracts are not to be administered during a government shutdown, efforts should be made to mitigate contract costs and minimize disruption. For contracts where funds have been obligated, the Contracting Officer will determine, on a case-by-case basis, if the contract can continue without any quality assurance and inspection or if these activities can be continued with obligated funds. If the contract requires frequent government inspection and there are no funds obligated to fund this aspect of project management, a suspend work order or stop-work order would be issued, Project inspectors and Contracting Officer Representatives (CORs) may be considered “excepted” or be available on an on-call basis in certain circumstances. In some cases, contract

Wednesday, September 25, 2013

performance can continue up to a certain logical point in the contract, and then consideration would be made about a project suspension.

Attachment 2: Excepted Personnel

The estimated number of employees who will be retained as excepted (i.e., not furloughed) is approximately 600. These employees fall under the following categories:

- Those employees who are engaged in law enforcement: BLM will maintain about 300 Law Enforcement and associated support (like dispatch);
- Those employees who are needed to protect life and property and are not otherwise exempt: The BLM will maintain approximately:
 - 10 in Washington Office for leadership in overseeing excepted activities, budget, and communications,
 - 20 at the National Operations Center for bureau-wide Finance/acquisition and IT systems support for excepted activities,
 - Each state will have the employees needed to respond to emergencies involving safety of human life and protection of property. This will total approximately 170 employees.
 - 100 for management of the Alaska pipeline, Rights of Way contracts, management of wild horse and burro holding facilities.

To complete shut-down activities, all employees (approximately 10,800) are expected to spend about a half-day completing the shutdown. Additionally, BLM would retain approximately 150 employees (about 10 per state/center/WO) in acquisition, human resource and budget/finance staff necessary to complete workloads required for the shutdown such as issuing personnel actions, issuing stop work orders to contractors, shutting down non-excepted systems, etc.

After the initial shutdown procedures are completed, the BLM would maintain 550 employees on-call. There would be 25 employees on call in the Washington Office for leadership in human resources, safety, emergency operations, budget/finance and acquisition. The States and Centers would maintain 350 employees on call for Safety, Fire, HAZMAT /emergency services, support services and other critical functions. Additionally, there would be 175 employees (about 15 per state/center/WO) in acquisition, safety, human resource and budget/finance staff necessary to accomplish work associated with programmatic excepted and/or on call activities.

The BLM has approximately 10,800 employees and would furlough 10,200 employees during a funding lapse.

Shutdown process:

Position/Function	Functions to be Performed
All employees (other than those designated "excepted")	Activities associated with shutting down: <ul style="list-style-type: none">– review and organize agency files (particularly identifying confidential material)– notify parties involved in agency matters of the cessation of normal business and document the status of cases and projects so that they can be resumed in the future– administrative tasks such as the inventory of files, furniture and equipment, and the normal processing of paychecks and completed

	<p>paperwork</p> <ul style="list-style-type: none"> – secure building, alert local fire and LE regarding contacts during the shutdown – other required activities determined by the State Director, Office head, or AD.
Designated finance, budget, and acquisition employees	Activities related to an orderly shutdown or response to Administration or Congressional requests. Setting up protocols and processes for allocating funds in FBMS to allow for expenditures, if needed, to address emergency situations, and payment of labor and operations for excepted employees and functions. Managing acquisition processes to transition to a shutdown.
Designated Human Resource employees	Activities related to an orderly shutdown, including payroll, processing personnel actions, etc.

Throughout the entire shutdown period, the following personnel would be determined excepted and required to work or be on call depending upon circumstances.

Organization/Position Title	Functions to be Performed
Firefighting and support personnel necessary to call up emergency response or respond to local fire officials	“Protection of Federal lands, buildings... and other property owned by the United States.”
Law enforcement (agents and rangers, along with dispatch support) necessary to respond to emergency situations and to local law enforcement officials	Protection of life and property: “Law enforcement and criminal investigations”
Hazardous materials response personnel (on-call)	Protection of life and property.
<p>Washington Office:</p> <ul style="list-style-type: none"> - Acting Director - Acting Deputy Director, Operations - Director, Office of Law Enforcement and Security - AD, Human Capital Management - AD, Minerals and Realty Management - AD, Business and Fiscal Resources <p><i>The following officials will be placed on an on-call status:</i></p> <ul style="list-style-type: none"> -- AD, Renewable Resources and Planning -- Director, NLCS -- AD, Communications or Division Chief, Public Affairs (WO-610) -- Division Chief, Safety (WO-740) 	<p>Leadership and decisions on emergency operations (protection of human life and Federal property)</p> <p>Funds control and monitoring funds availability and internal/external communication.</p>
Budget Officer and/or Funds Control Officer	Respond to Congressional requests on funding and to evaluate funds availability

	and transfer as needed. Allocate funds for emergency situations and payment for excepted employees and functions
<p>National Operations Center: -- Director, National Operations Center</p> <p>-- Business Services Division, -- Finance Officer -- Acquisition Staff</p> <p>-- Information Resources Division, Chief</p> <p><i>The following officials will be placed on an on-call status:</i> NOC Human Resource Staff</p>	<p>Leadership and decisions on emergency operations</p> <p>Operation of FBMS to allow for expenditures to address emergency situations and payment of excepted employees. Complete actions related to acquisitions such as stop work orders and contract management.</p> <p>Support to sustain excepted computer functions and maintain BLM wide e-mail and other systems.</p> <p>To provide bureau-wide access to Quicktime and FPPS if needed</p>
<p>State Director (other critical managers/staff determined by SDs to be critical for protection of life and property)</p> <p><i>The following officials will be placed on an on-call status:</i> Deputy State Directors, Fire Management Officers, Budget Officers, Contracting, Personnel Officers, Safety Officers (including Safety of Dams) and IT staff.</p>	<p>Leadership and decisions on emergency operations (protection of human life and Federal property)</p>
<p>Director, Fire and Aviation</p> <p><i>The following officials will be placed on an on-call status:</i> Casual Pay center for emergency firefighter labor payments in the event of an emergency</p>	<p>Leadership and decisions on emergency operations (protection of human life and Federal property)</p>